

were killed in other types of incidents. Although the 116 peace officers that died in action in 2009 is the lowest number since 1959, each officer's death is a tragedy, and we should honor the sacrifices made by those who have been killed in the line of duty.

Activities on the Capitol Grounds conducted under H. Con. Res. 264 will be coordinated with the Architect of the Capitol, will be free, and open to the public.

It is fitting that we pay tribute the lives, sacrifices, and public service of our brave peace officers and their families today. I urge my colleagues to join me in supporting H. Con. Res. 264.

Mr. PETRI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, I urge support of this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 264.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2010

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5147) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5147

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport and Airway Extension Act of 2010".

#### SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "April 30, 2010" and inserting "July 3, 2010".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "April 30, 2010" and inserting "July 3, 2010".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "April 30, 2010" and inserting "July 3, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on May 1, 2010.

#### SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "May 1, 2010" and inserting "July 4, 2010"; and

(2) by inserting "or the Airport and Airway Extension Act of 2010" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking "May 1, 2010" and inserting "July 4, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on May 1, 2010.

#### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103(7) of title 49, United States Code, is amended to read as follows:

"(7) \$3,024,657,534 for the period beginning on October 1, 2009, and ending on July 3, 2010."

(2) AVAILABILITY OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2009, and ending on July 3, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2010 were \$4,000,000,000; and

(B) then reduce by 17 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "April 30, 2010," and inserting "July 3, 2010,".

#### SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(1)(7) of title 49, United States Code, is amended by striking "May 1, 2010," and inserting "July 4, 2010,".

(b) Section 44302(f)(1) of such title is amended—

(1) by striking "April 30, 2010," and inserting "July 3, 2010,"; and

(2) by striking "July 31, 2010," and inserting "September 30, 2010,".

(c) Section 44303(b) of such title is amended by striking "July 31, 2010," and inserting "September 30, 2010,".

(d) Section 47107(s)(3) of such title is amended by striking "May 1, 2010," and inserting "July 4, 2010,".

(e) Section 47115(j) of such title is amended by striking "May 1, 2010," and inserting "July 4, 2010,".

(f) Section 47141(f) of such title is amended by striking "April 30, 2010," and inserting "July 3, 2010,".

(g) Section 49108 of such title is amended by striking "April 30, 2010," and inserting "July 3, 2010,".

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "May 1, 2010," and inserting "July 4, 2010,".

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking "May 1, 2010," and inserting "July 4, 2010,".

(j) The amendments made by this section shall take effect on May 1, 2010.

#### SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(F) of title 49, United States Code, is amended to read as follows:

"(F) \$7,070,158,159 for the period beginning on October 1, 2009, and ending on July 3, 2010."

#### SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(6) of title 49, United States Code, is amended to read as follows:

"(6) \$2,220,252,132 for the period beginning on October 1, 2009, and ending on July 3, 2010."

#### SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(14) of title 49, United States Code, is amended to read as follows:

"(14) \$144,049,315 for the period beginning on October 1, 2009, and ending on July 3, 2010."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5147.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5147, the Airport and Airway Extension Act of 2010. I want to thank Chairman OBERSTAR and Ranking Member MICA, as well as Mr. PETRI for working with me to bring this bill to the floor today.

In both the 110th and 111th Congresses, the House passed comprehensive legislation to reauthorize the FAA and to provide for much-needed modernization of our aviation system. Last month, the other body passed its own FAA reauthorization bill. We look forward to the completion of a final comprehensive bill, and are in the process of working out the differences in both legislation to reconcile and bring a conference report to the floor.

However, the airport and airways trust fund will expire on April 30, 2010, and the bill before us today is needed to extend the aviation taxes and expenditure authority, and the airport improvement program contract authority until July 3, 2010.

Specifically, H.R. 5147 provides \$3 billion in AIP contract authority through early July, which translates to an annualized amount of \$4 billion for fiscal year 2010. This level of funding is consistent with the annual levels provided by the House and Senate reauthorization bills, as well as the fiscal year 2010 concurrent budget resolution.

These additional funds will allow airports to continue critical safety capacity enhancement projects. Additionally, the bill provides \$7 billion for the FAA operations; \$2.2 billion for facility and equipment programs; and \$144 million for research, engineering and development programs.

When translated to yearly amounts, these AIP figures equal the funding levels passed in the Transportation, Housing and Urban Development, and Related Agencies Appropriation Act of 2010. In addition, aviation excise taxes will also be extended through July 3,

2010. These taxes are necessary to support the airport and airways trust fund, which funds a large portion of the FAA's budget. Any lapse in these taxes could drain the trust fund's balance, so it is important that we act now pending the passage of a longer-term reauthorization bill.

Aviation is too important to our Nation's economy, contributing \$1.2 trillion in output and approximately 11.4 million jobs, to allow the taxes or the funding for critical aviation programs to expire. Congress must ensure that this extension passes today to ensure that our aviation system is not disrupted and continues to function safely. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

In May of last year, the House passed H.R. 915, the FAA Reauthorization Act of 2009. Last month, the Senate passed its own FAA reauthorization bill which the House took up, amended and passed, and sent back to the Senate. While a conference has not been called, staff from both Chambers have begun informal discussions to reconcile the two versions of bill.

This process will take time, and given that the current FAA extension expires at the end of this month, we need to again extend the FAA's taxes and authorities to allow time to get a final, conferenced FAA bill.

H.R. 5147 would extend the taxes, programs, and funding of the FAA to July 3 of this year. This bill provides just over \$3 billion in airport improvement program funding; extends the war risk insurance program; and extends other authorities related to small community air service, airport and safety programs.

This bill will ensure that our national airspace system continues to operate and that the FAA continues to fund important airport projects while the Congress completes action on a final reauthorization bill.

Mr. Speaker, I would now like to yield such time as he may consume to the senior Republican on the Public Works and Transportation Subcommittee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I thank Mr. PETRI, our ranking member on the Aviation Subcommittee, for yielding me this time. I am pleased also to recognize the fine work of the current chair of the Aviation Subcommittee, Mr. COSTELLO and our chair of the full committee, Mr. OBERSTAR.

I am here today, Mr. Speaker and my colleagues, and folks, you haven't tuned in here to the comedy hour. In fact, it is almost sort of a sad time. It almost seems like a bit of a sad comedy that we are back here for the 15th time extending FAA authorization, authorization for all of the policy, Federal programs that deal with aviation, the 15th time, and this is the 13th extension.

Mr. PETRI is the ranking member of aviation, Mr. COSTELLO the current chair. When I came to Congress, Mr. OBERSTAR was the chair of the Aviation Subcommittee and I was in the minority but a member of the committee. From 2001 to 2008, I was the chairman of the Aviation Subcommittee. In fact, in 2003, I wrote the current FAA authorization that has been extended some 13 times with the passage of this today. I know I did a great job and a thorough job, but I never intended it to last on and on. And it wasn't intended to last on and on. At that time we did a 4-year bill. We set the policies, the projects. We set all of the safety criteria for aviation in the country.

But what particularly burns me right now is we have a commuter aviation safety piece of legislation that we intended to incorporate in this extension. We have had it done for some time. We worked in a bipartisan fashion; and that sits idle. We sat down in a bipartisan fashion after we had a number of disastrous commuter flights, one up in New York, and our heart aches for those families who have suffered the loss of a loved one. We had a responsibility to pass that legislation; and that legislation, which is part of the extension, is still sitting today undone. But again, 15 times we have been here. This is the 13th extension. This goes on to July of a bill that I authored back in 2003 that expired in 2007.

□ 1115

And it couldn't come at a worse time for the economy. We need in place that policy. We need the funding formula in place. We need the ability to move and expand our airports which are our main transportation hub of today and the future.

The modernization of the air traffic control system and the provisions that we put in this to move that forward are also stalled, it's called NextGen, next-generation air traffic control. This is very sad. When you stop and think about it, 11 percent of the economy of the United States of America deals around the aviation industry. This is big business, it's big jobs, and, unfortunately it's stalled. And that's sad.

I'm not here to point fingers. The House has done due diligence. The other body continues to work on the measure. They've made some progress of late. There are some issues in here, one that's called the FedEx provision, which does expand some unionization provisions if it is passed. Quite frankly, the Senate has said that provision is not going to be accepted. Many on the House oppose this on both sides of the aisle. Let's take the controversial things, put them aside, and move forward with the bill.

Foreign repair stations. We cannot abrogate our obligations under international treaties. We can't leave planes in some foreign location without the ability to repair them. So we have to have a reasonable standard and an

internationally coherent and internationally compliant way to proceed for repair stations. Those controversial provisions need to be put aside.

Move forward. People are crying out for jobs in this country, and one of the best employers that we have in this Nation is the aviation industry. It pays some of the highest salaries, and we have the potential for expanding that. When you expand aviation, you enter global markets with such ease today, but we are leaving that behind. So I am, indeed, deeply saddened that we are not at a point where we are passing this.

Now, I ask Members to support this extension, the 13th extension. This is a very embarrassing moment for the Congress, and I'm sad that our work is not done.

Mr. PETRI. Mr. Speaker, I urge my colleagues to support H.R. 5147, and I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me concur with the remarks of the ranking member of the full committee, Mr. MICA, and Mr. PETRI in his statement. I do want to make it clear, though, that in this House we have done our job, both in 2007 and in 2009. The committee, and also the full House, passed the reauthorization bill; and on both occasions, in 2007 and 2009, we sent it over to the Senate and waited for the other body to act. Unfortunately, the other body did not act until recently, and as I said in my opening remarks, we are negotiating with them now to resolve our differences so that we can bring a bill to the floor in order to get it to the President.

Mr. MICA is right about the Airline Pilot and Safety Act as well. We did pass that legislation both in the committee and the House. It was a bipartisan bill. It is urgently needed. It is a part of the reauthorization process. And, again, it is my hope that we can work out our differences and quickly bring a conference report to the floor. I urge my colleagues to support this legislation.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 5147, the "Airport and Airway Extension Act of 2010".

H.R. 5147 ensures that aviation programs, taxes, and Airport and Airway Trust Fund expenditure authority will continue without interruption, pending completion of a long-term Federal Aviation Administration, FAA, reauthorization act.

The most recent long-term FAA reauthorization act, the Vision 100—Century of Aviation Reauthorization Act, P.L. 108–176, expired on September 30, 2007. The House passed an FAA reauthorization bill during the 110th Congress, and again last year. I am pleased that the Senate passed its own comprehensive reauthorization bill last month, and I look forward to the passage of final legislation that will provide for the modernization of our aviation system and reauthorize the FAA over the long term.

We must ensure in the meantime that the FAA's programs and authority do not lapse.

Accordingly, H.R. 5147 is the latest short-term extension act. It ensures continuity of funding and program authority beyond April 30, 2010, when the FAA's current extension expires. H.R. 5147 provides a two-month extension of aviation programs, through July 3, 2010.

I thank my Committee colleagues—especially Ranking Member MICA, Aviation Subcommittee Chairman COSTELLO, and Aviation Subcommittee Ranking Member PETRI—as well as Ways and Means Committee Chairman LEVIN and Ranking Member CAMP for working with me on this critical legislation.

I strongly urge my colleagues to join me in supporting H.R. 5147.

Mr. COSTELLO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 5147.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONSIDERATION OF H.R. 5013, IMPLEMENTING MANAGEMENT FOR PERFORMANCE AND RELATED REFORMS TO OBTAIN VALUE IN EVERY ACQUISITION ACT OF 2010

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1300 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 1300

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5013) to amend title 10, United States Code, to provide for performance management of the defense acquisition system, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be

considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Armed Services or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from North Carolina, Dr. Foxx. All time yielded during consideration of the rule is for debate only.

##### GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the CONGRESSIONAL RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, the resolution provides a structured rule for consideration of H.R. 5013, the IMPROVE Acquisition Act of 2010. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. It makes in order the committee amendment as an original bill and provides that the bill shall be considered as read.

The rule waives all points of order against the committee amendment except those arising under clause 10 of rule XXI. The rule makes in order the 16 amendments printed in the Rules Committee report and waives all points of order against those amendments except those arising under clause 9 or 10 of rule XXI. The rule provides one motion to recommit with or without instructions.

The rule provides the Chair may entertain a motion that the committee rise only if offered by the Chair of the Committee on Armed Services or a designee. The Chair may not entertain a motion to strike out the enacting words of the bill.

Mr. Speaker, over the years we have watched as countless stories revealed flaws in the military's procurement operation. Disappointment with the way the Department of Defense manages the money we appropriate it reflects

poorly not just on the Pentagon, but on Congress as well. The \$640 toilet seat is now the stuff of legend, but sadly it is often just the tip of the iceberg.

In recent years, excesses stemming from the ill considered rush towards privatization championed by the previous administration have become increasingly common. The push to contract out nearly every part of the military's mission has inevitably led to waste, fraud, and abuse involving some of the biggest corporate names in this country. Sadly, I believe that many years from now historians will associate a significant part of the war in Iraq with wasteful and poorly managed contracts that made private companies millions of dollars, billions of dollars, actually, often at the expense of our own men and women in uniform and certainly of taxpayers.

Two years ago in Congress, I was here on the floor as the House debated H.R. 1362, the Accountability in Contracting Act. That, too, was intended to save taxpayer money. Earlier in the 110th Congress, I worked with my friend, Ms. SCHAKOWSKY, on H.R. 897, the Iraq and Afghanistan Contractor Sunshine Act. I hesitate to say that those and other efforts towards contracting reform have been unsuccessful. Clearly, we have made significant reforms and part of our work in Congress involves regular and diligent oversight. It is a never-ending process.

For my part, one of my proudest efforts during my career in Congress has been to force the Pentagon to acknowledge that some of the testing done on body armor for troops during an early part of the war was deeply flawed. My work on this issue grew out of a 2006 audit that I read about in The New York Times that found that 80 percent of marines who had died in Iraq of upper body wounds would have survived with the proper body armor. I waited for other committees to take the lead, but no one came to the floor.

We are still working on this issue, but we have come a very long way. Major changes have been made in testing labs, some of them taken back into the Army rather than contracted out, which in this case did not work. Thankfully, however, the work did accomplish one thing: the military agreed to no more poorly managed deals for outside contractors to test the body armor. All current and future body armor testing will be conducted internally by the Department of Testing and Evaluation within the DOD with strict standards to ensure our troops receive nothing but the highest quality of body armor.

When it comes to the safety of our troops, which we send into battle, it is foolish to put the bid out to the lowest-priced contractor.

But today we have moved into a new chapter of oversight and reform, and I am happy to see it come. This morning we are bringing up an important piece of legislation intended to help the Pentagon reform inefficient procurement